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## FACSIMILE TRANSMISSION

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From : Antoinette F. Konski  
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Date : December 6, 2005  
Client/Matter No : 064189-0201  
User ID No : 09417

### MESSAGE:

Re: U.S. Patent Application No. 09/715,764

Please find enclosed:

1. Request for Continued Examination (RCE) Transmittal (3 pages) in duplicate;
2. Communication in Connection with the Filing of Request for Continued Examination (2 pages).

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Atty. Dkt. No. 064189-0201 (2924)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Heinz-Josef LENZ et al.

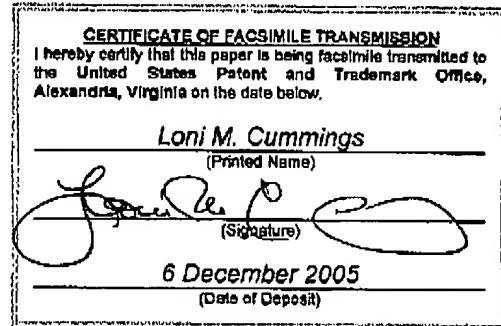
Title: GENOMIC POLYMORPHISM  
FOR PREDICTING  
THERAPEUTIC RESPONSE

Appl. No.: 09/715,764

Filing Date: November 15, 2000

Examiner: SITTON, Jehanne Souaya

Art Unit: 1634



**COMMUNICATION IN CONNECTION WITH THE  
FILING OF REQUEST FOR CONTINUED EXAMINATION**

Mail Stop RCE  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

This Communication is submitted to bring to the Office's attention several related co-pending patent applications, namely U.S. Serial No. 10/522,664, filed 27 January 2005 and U.S. Serial No. 11/173,889, filed 1 July 2005. Applicants also wish to bring to the Office's attention co-owned U.S. Patent No.: 6,716,581, which issued from U.S. Serial No. 09/824,629, filed 2 April, 2001.

This Communication is not intended as an admission that any of the above-noted related pending applications or issued patent constitutes prior art against the claims of the present application or that such is considered material to patentability as defined in 37 CFR §1.56(b). Applicants do not waive any rights to take any action which would be appropriate to antedate or otherwise remove as a competent reference any document which is determined to be a *prima facie* art reference against the claims of the present application.

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No fee is deemed necessary in connection with the filing of this Communication. However, should the Commissioner determine that a fee or other charge is necessary, authorization is given to the Commissioner to charge any additional fees which may be required regarding this application under 37 CFR §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 50-0872. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 50-0872.

Respectfully submitted,

Date Dec. 6, 2005

By Antoinette F. Konski

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